



# HOUSE BILL 96: Allow Pharmacists to Admin. Injectable Drugs.

2021-2022 General Assembly

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<b>Committee:</b>	Senate Commerce and Insurance. If favorable, re-refer to Rules and Operations of the Senate	<b>Date:</b>	July 21, 2021
<b>Introduced by:</b>	Reps. Sasser, Setzer, White, Adcock	<b>Prepared by:</b>	Jason Moran-Bates
<b>Analysis of:</b>	Fourth Edition		Staff Attorney

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**OVERVIEW:** *House Bill 96 would expand the number of vaccines and medications that immunizing pharmacists are allowed to administer and require parents to provide written consent before a vaccine approved under an Emergency Use Authorization is administered to a minor.*

**CURRENT LAW:** Under current law, immunizing pharmacists may administer the following vaccines: pneumococcal polysaccharide, herpes zoster, hepatitis B, meningococcal conjugate, serogroup B meningococcal, tetanus-diphtheria, tetanus and diphtheria toxoids and pertussis, tetanus and diphtheria toxoids and acellular pertussis, tetanus toxoid, human papillomavirus, and hepatitis A.

**BILL ANALYSIS:** House Bill 96 would amend G.S. 90-85.15B to allow immunizing pharmacists to dispense and administer a greater range of medications and immunizations than is permitted under current law. Specifically, immunizing pharmacists would be authorized to administer:

- COVID-19 vaccines to individuals over the age of 6 pursuant to a written prescription, and over the age of 10 without a written prescription.
- Any other vaccines approved by the United States Food and Drug Administration.
- Nicotine replacement therapy.
- Self-administered oral or transdermal contraceptives.
- Prenatal vitamins.
- HIV post-exposure prophylaxis.
- Glucagon.
- Testosterone.
- Vitamin B12 injections.

Immunizing pharmacists who dispense or administer medications under the new regulations would have to maintain patient records and make those records available to patients and patients' primary care providers. The immunizing pharmacists would have to comply with rules adopted by the North Carolina Medical Board and the North Carolina Board of Pharmacy in addition to having approval from both boards to dispense or administer medications. The Boards would be required to develop written protocols and adopt rules necessary to implement the bill. Pharmacy technicians and pharmacy interns would be allowed to administer flu and COVID-19 vaccines under the supervision of an immunizing pharmacist. The Board of Pharmacy would be able to discipline pharmacists who did not comply with the rules adopted by the Medical Board and the Board of Pharmacy.

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The State Health Director would be required to issue a standing order prescribing the medications listed above until January 1, 2023, or when the rules implementing this bill are adopted by the Medical Board and the Board of Pharmacy, whichever is later. This standing order must include protocols for the initiation, modification, and discontinuation of each therapeutic class of medication available under the standing order. Any statewide standing orders issued by the State Health Director pertaining to emergency authority for the administration of a COVID-19 vaccine would be extended until December 31, 2021, and could be extended further if the Director determines an extension is necessary to protect the public welfare.

Finally, G.S. 90-21.5 would be amended so that minors cannot consent on their own authority to the administration of vaccines approved under an Emergency Use Authorization. Healthcare providers would need to obtain written consent from a parent or guardian before administering a vaccine approved under an EUA.

**EFFECTIVE DATE:** The provisions of the bill allowing the administration of testosterone and B12 injections and directing the Boards to adopt rules would be effective October 1, 2021. Most of the remaining provisions relating to the ability of immunizing pharmacists to administer medications would be effective February 1, 2022, but the provisions allowing them to administer the COVID-19 or influenza vaccine to minors would be effective September 1, 2021. The remainder of the bill, including the parental consent for vaccines authorized under an EUA, would be effective when it becomes law.